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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/638,560	08/14/2000	Bernard DeGroeve	0007314/0001	9964

7590 04/07/2003

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EXAMINER

BACKER, FIRMIN

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 04/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/638,560

Applicant(s)

DEGROEVE ET AL.

Examiner

Firmin Backer

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-57 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-57 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Response to Request for Reconsideration

This is in response to a request for reconsideration file February 6th, 2003. Claims 1-157 are being reconsidered in this action.

Response to Arguments

1. Applicant's arguments with respect to claims 1-157 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-157 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bickerton et al (U.S. Patent No. 6,041,312) in view of Lee et al (WO 96/08783).

4. As per claims 1, 146, 147 and 157, Bickerton et al teach an electronic multiparty accounts receivable and accounts payable system (*account management functioning system*) for use by at least two system participants (*business partners*) who have contracted with one another and who may owe debts to one another under one or more underlying contracts (*see abstract, fig 6, 7A, column 6 lines 23-59*) comprising electronic data storage means for storing accounts receivable

Art Unit: 3621

and accounts payable information concerning the system participants (*see abstract, fig 6, 7A, column 6 lines 23-59*), data entry means for entering accounts receivable and accounts payable information reflecting debts owed to the creditor participant by a debtor participant into the electronic data storage means of the electronic multiparty accounts receivable and accounts payable system (*see column 6 line 1-21, 7 line 15-47*). Bickerton et al fail to teach electronic invoicing means for constructing an electronic invoice reflecting amounts owed to the creditor participant by the debtor participant on one or more underlying contracts; electronic invoice presentment means for presenting the electronic invoice reflecting amounts owed to the creditor participant by the debtor participant to the debtor participant for acceptance or rejection; and authorization means for allowing the debtor participant to authorize the electronic invoice, whereby the authorization signifies the debt reflected in the electronic invoice has become a payment obligation due on a date certain. However, Lee et al teach electronic invoicing means for constructing an electronic invoice reflecting amounts owed to the creditor participant by the debtor participant on one or more underlying contracts; electronic invoice presentment means for presenting the electronic invoice reflecting amounts owed to the creditor participant by the debtor participant to the debtor participant for acceptance or rejection; and authorization means for allowing the debtor participant to authorize the electronic invoice, whereby the authorization signifies the debt reflected in the electronic invoice has become a payment obligation due on a date certain (*see abstract, figs 1, 2, 3, page 3 lines 1-23, 6 lines 1-28*). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bickerton et al's inventive concept to include Lee et al's teach electronic invoicing means for constructing an electronic invoice reflecting amounts owed to the creditor participant by the

Art Unit: 3621

debtor participant on one or more underlying contracts; electronic invoice presentment means for presenting the electronic invoice reflecting amounts owed to the creditor participant by the debtor participant to the debtor participant for acceptance or rejection and authorization means for allowing the debtor participant to authorize the electronic invoice, whereby the authorization signifies the debt reflected in the electronic invoice has become a payment obligation due on a date certain because this would provide a system and method that is convenient and cost effective saving to both billers and consumers as well as providing security and reliability.

5. As per claims 155, 156, Bickerton et al teach an electronic multiparty accounts receivable and accounts payable system for use by a plurality of system participants who have contracted with one another and who owe a plurality of debts to one another under a plurality of underlying contracts, and wherein certain system participants are debtor participants as a result of debts owed to other system participants, and wherein other system participants are creditor participants as a result of debts owed to them by the debtor participants, the system comprising electronic data storage means for storing debt information, data entry means for entering debt information into the electronic data storage means and aggregation means for aggregating debt obligations owed by the debtor participant and further allows aggregation of debt obligations owed to the creditor participant (*see column 6 line 1-21, 7 line 15-47*). Bickerton et al fail to teach an inventive concept of an electronic multiparty accounts receivable and accounts payable system. However Lee et al teach a electronic multiparty accounts receivable and accounts payable system (*see abstract, fig 1*). Therefore, it would have been obvious to one of ordinary skill in the art at the invention was made to modify Bickerton et al's inventive concept to include Let at al's

Art Unit: 3621

inventive concept of an electronic multiparty accounts receivable and accounts payable system because this would have provided a system that allows a party to direct a statement or invoice electronically to another party.

6. As per claims 2-145, and 147-154, Bickerton et al teach an electronic multiparty accounts receivable and accounts payable system wherein the electronic invoicing means allows an electronic invoice to be created from accounts receivable information stored in the electronic data storage means reflecting one or more accounts receivable owed to a creditor by a debtor participant on one or more underlying contracts (*see column 6 line 1-21, 7 line 15-47*).

Conclusion

7. Applicant's submission of an information disclosure statement under 37 CFR 1.97(c) with the fee set forth in 37 CFR 1.17(p) on February 13th, 2003 prompted the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 609(B)(2)(i). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

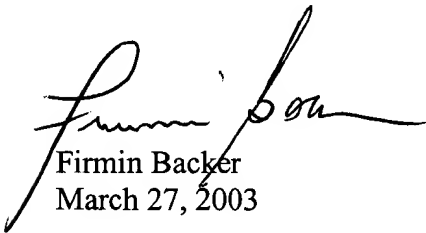
Art Unit: 3621

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Firmin Backer whose telephone number is (703) 305-0624. The examiner can normally be reached on Mon-Thu 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (703) 305-9768. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.



Firmin Backer
March 27, 2003



JAMES P. TRAMMELL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600